

Anthony Eid  
September 28, 2021

EXHIBIT 29

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

ANTHONY EID, an individual,

Plaintiff,

vs.

Case No. 20-cv-11718

Hon. Gershwin A. Drain

WAYNE STATE UNIVERSITY, et al,

Mag. Judge David R. Grand

Defendants.

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The Continued Deposition of ANTHONY EID, VOLUME II,  
Taken at 280 North Old Woodward Avenue,  
Suite 400, Birmingham, Michigan,  
Commencing at 9:56 a.m.,  
Tuesday, September 28, 2021,  
Before Lezlie A. Setchell, CSR-2404, RPR, CRR.

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<p>1 Snap?</p> <p>2 A. I'm not sure what I meant at that time except that my</p> <p>3 Snapchat account had been hacked at the time that I</p> <p>4 sent that message to her.</p> <p>5 Q. What did you do to rescue all of your accounts?</p> <p>6 A. I'm not sure what rescuing all of my accounts meant in</p> <p>7 that exchange. Generally to rescue my accounts, I</p> <p>8 would do things like change my password. At that</p> <p>9 point in time, security, account security got a little</p> <p>10 better where you could do things like put on two-step</p> <p>11 verification and measures like that which is what I</p> <p>12 had done to my accounts except for Snapchat.</p> <p>13 Q. Why hadn't you done it to Snapchat?</p> <p>14 A. Because that is the first time my Snapchat had been</p> <p>15 hacked.</p> <p>16 Q. Well, if all of your other accounts had been hacked,</p> <p>17 allegedly at least, why wouldn't you take that</p> <p>18 precaution with your other ones to prevent having the</p> <p>19 same experience again?</p> <p>20 A. There are a lot of accounts, you know, and I guess</p> <p>21 Snapchat just made it through without being changed.</p> <p>22 Q. So the next sentence in this box on page 45 reads:</p> <p>23 They somehow logged in through your phone number to</p> <p>24 get to me, so, those accounts are linked.</p> <p>25 Where did you get that information?</p>	<p>1 Q. No. It was in '19.</p> <p>2 A. Well then, I have my dates wrong. Well then, this</p> <p>3 would be around October of 2018, not 2017.</p> <p>4 Q. Let's go to the last page, 46, of Exhibit Number 30.</p> <p>5 Again, it's Anthony Eid at the top, and there's a box</p> <p>6 in which the message reads: I understand. I deleted</p> <p>7 your number until I got it in this investigation</p> <p>8 report. I'm going to have to file a lawsuit with the</p> <p>9 36th District Court for damages. I will not contact</p> <p>10 you again, but you may hear from my lawyer if this is</p> <p>11 not resolved.</p> <p>12 That message was sent by you to Roe in</p> <p>13 response to her message, No, please stop contacting</p> <p>14 me, correct?</p> <p>15 A. Yes, and that was the last message I had sent to Roe.</p> <p>16 Q. It's not quite the last because the next one you also</p> <p>17 sent, correct?</p> <p>18 A. No.</p> <p>19 Q. It reads: Hi. My lawyer told me he emailed you</p> <p>20 yesterday. Take a look and let me know what you wanna</p> <p>21 do. I'm open to a better resolution. Thanks.</p> <p>22 A. No. As I stated, that last message that starts with</p> <p>23 "I understand" is the last message I sent to her.</p> <p>24 Q. Alright. So let's focus on the message right below</p> <p>25 the "I understand" message which refers to threatening</p>
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<p>1 A. I thought that Roe was the one that was accessing my</p> <p>2 Snapchat account, and normally to access a Snapchat</p> <p>3 account, you either need a user name or a phone</p> <p>4 number, and I did not believe that Roe had my user</p> <p>5 name, so, but I know she had my phone number, so, it</p> <p>6 had to be through my phone number.</p> <p>7 Q. What information did you have in 2017 that led you to</p> <p>8 believe that her phone number was being used to hack</p> <p>9 your Snapchat?</p> <p>10 A. I didn't have anything specific to make me think that</p> <p>11 it was her phone number, but I thought it was Roe</p> <p>12 based on the circumstances of all my accounts being</p> <p>13 hacked, like the iCloud account, like the Gmail</p> <p>14 account, like the Capital One accounts.</p> <p>15 Q. And so without any concrete evidence, you're asking</p> <p>16 her to change her password so that you can, quote,</p> <p>17 unlink it and get my account back?</p> <p>18 A. Yes.</p> <p>19 Q. And she's saying, Stop, leave me alone?</p> <p>20 A. Yes. She said: No. Please stop contacting me.</p> <p>21 Q. Alright. If the records were established that this</p> <p>22 exchange occurred in 2018, would you have any basis</p> <p>23 for disputing that?</p> <p>24 A. My first meeting with the Promotions Committee was in</p> <p>25 February of 2018, correct?</p>	<p>1 her with a 36th District Court action and moving for</p> <p>2 damages and the lawyer, you may hear from my lawyer.</p> <p>3 Are you denying under oath that you sent the message</p> <p>4 that follows immediately after the one referring to</p> <p>5 the 36th District Court, quote: Hi. My lawyer told</p> <p>6 me he emailed you yesterday. Take a look and let me</p> <p>7 know what you wanna do. I'm open to a better</p> <p>8 resolution. Thanks.</p> <p>9 A. Yes. I did not send that message.</p> <p>10 Q. So do you have any theory or idea how such a message</p> <p>11 exists?</p> <p>12 A. Well, I'm not sure if its exists because it says text</p> <p>13 message there, and these messages were sent through</p> <p>14 iMessage. The fact that it says text message there in</p> <p>15 that message, looks like they are two duplicate</p> <p>16 messages there, right, one that says Friday, 6:26 p.m.</p> <p>17 and one that says text message but they're the same</p> <p>18 message.</p> <p>19 Q. They could have been sent through iMessage and through</p> <p>20 text message, correct?</p> <p>21 A. I do not believe that's how iMessage works, no. All</p> <p>22 of the other messages were sent through iMessage.</p> <p>23 Q. So that's the only theory you can offer as to how this</p> <p>24 message is not one that you sent?</p> <p>25 A. Well, all I know is I didn't send it. I don't really</p>

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<p>1 damages and made a reference to your lawyer?</p> <p>2 A. Well, no, I did not say that in here.</p> <p>3 Q. Why did you leave that out?</p> <p>4 A. I didn't think it was relevant to this, and at that</p> <p>5 time, I also didn't have those messages anymore, so, I</p> <p>6 was going off the best of my recollection, which is</p> <p>7 what it says.</p> <p>8 Q. Those are more recent than the 2016 and '17 messages.</p> <p>9 In fact, they're almost immediately prior to the time</p> <p>10 you draft and submit this statement, correct?</p> <p>11 A. Yes.</p> <p>12 Q. You couldn't remember them?</p> <p>13 A. Everything I put in this statement was true. If there</p> <p>14 was communication between these times, it was</p> <p>15 infrequent with months between them, which it was, and</p> <p>16 then in the next paragraph, I said that I did have</p> <p>17 communication on October 27th.</p> <p>18 Q. Let's proceed on. You acknowledge in your statement</p> <p>19 that you had considered going to the police and the</p> <p>20 university but you did not, correct, to complain about</p> <p>21 Roe?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. So let's go to 216, second full paragraph. So</p> <p>24 you write in the first line of the second full</p> <p>25 paragraph, I take full responsibility for the text</p>	<p>1 they prefer of students.</p> <p>2 Q. Okay. So that's what you thought would make you look</p> <p>3 good to say that?</p> <p>4 A. No. I think it's true. I do take responsibility for</p> <p>5 the ones that I saw from Camaj.</p> <p>6 Q. And you deeply regret those text messages and Facebook</p> <p>7 messages?</p> <p>8 A. Yes. In retrospect, I wish I would have gone to the</p> <p>9 police from the beginning and let them figure it out</p> <p>10 instead of trying to figure it out myself.</p> <p>11 Q. Alright. And you regret the fact that you lied to</p> <p>12 Roe, correct?</p> <p>13 A. Yes. Again, I wish I would have gone about this</p> <p>14 differently in retrospect and went to the police from</p> <p>15 the beginning.</p> <p>16 Q. And you recognized that the conduct that you displayed</p> <p>17 with Roe during your dialogue with her represents a</p> <p>18 major character flaw, correct?</p> <p>19 A. No, I wouldn't say it's a major character flaw. I</p> <p>20 would say I was trying to protect myself from being</p> <p>21 hacked, having my identity stolen. I was really</p> <p>22 scared for, you know, my personal information at the</p> <p>23 time. I thought that this person might have my</p> <p>24 address, so, I was scared.</p> <p>25 Q. Let's look at your own writing, second full paragraph,</p>
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<p>1 messages/Facebook messages that were sent to blank,</p> <p>2 and that's Roe, right, where the redacted black mark</p> <p>3 is?</p> <p>4 A. Yes.</p> <p>5 Q. Alright. I deeply regret how this incident has taken</p> <p>6 place. I understand that I lied to this person about</p> <p>7 many things, and I'm very sorry about that. I never</p> <p>8 had a lawyer like I stated. I did not -- I did in the</p> <p>9 messages, and while I did consider suing for damages</p> <p>10 in civil court regarding this issue, I never did go to</p> <p>11 file in court for any such damages.</p> <p>12 So let's stop there before we proceed.</p> <p>13 Alright. So you'd clearly read the text and Facebook</p> <p>14 messages that were in dispute because you were taking</p> <p>15 full responsibility for them, correct?</p> <p>16 A. I only saw the ones that Camaj showed to me during our</p> <p>17 meeting.</p> <p>18 Q. Okay. And so that alone was enough to cause you to</p> <p>19 say, I take full responsibility for them, and I deeply</p> <p>20 regret how this incident has taken place?</p> <p>21 A. Well, I believe in taking responsibility for your</p> <p>22 actions, and the Student Code of Conduct for the</p> <p>23 university states that students who take</p> <p>24 responsibility for their actions and show a sign of</p> <p>25 remorse, it's in the Code of Conduct that that is what</p>	<p>1 page 216. You write in the middle of the page, quote:</p> <p>2 This represents a major character flaw that I know I</p> <p>3 feel terribly about. I promise that I'll be working</p> <p>4 on myself to fix this flaw through deep personal self</p> <p>5 reflection and perhaps professional help if deemed</p> <p>6 necessary.</p> <p>7 You wrote those words, correct?</p> <p>8 A. I did.</p> <p>9 Q. And you acknowledge that your conduct constituted a</p> <p>10 major character flaw?</p> <p>11 A. No, I don't think it did. That's what I wrote, I</p> <p>12 understand, but I don't think it actually was a major</p> <p>13 character flaw. It was wrong and I wish I would have</p> <p>14 went about it differently in retrospect, like I said,</p> <p>15 but a deep character flaw, no.</p> <p>16 Q. Why did you write those words? It's actually major,</p> <p>17 not deep.</p> <p>18 A. Major character flaw. I think the Student Code of</p> <p>19 Conduct makes accommodations for students who take</p> <p>20 responsibility for their actions. I didn't know</p> <p>21 exactly what I was being accused of at the time, so, I</p> <p>22 thought this would be the best way to take</p> <p>23 responsibility for my actions and be able to move on</p> <p>24 with my medical school studies.</p> <p>25 Q. So those were insincere words?</p>

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<p style="text-align: right;">Page 274</p> <p>1 A. No, I wouldn't say they were insincere, but I don't</p> <p>2 think my actions represent a major character flaw.</p> <p>3 Q. Well, would you agree that the Student Code of Conduct</p> <p>4 wants people to truly take and genuinely take</p> <p>5 responsibility for their actions, not just to use</p> <p>6 words that they later disassociate themselves from;</p> <p>7 they expect actions, not just words?</p> <p>8 A. I think in all of my statements, I have a plethora of</p> <p>9 actions that I would have taken to solve this issue,</p> <p>10 and if you read the other statements that I submitted</p> <p>11 to the Promotions or the Professionalism Committee,</p> <p>12 those actions are listed.</p> <p>13 Q. Alright. So let's go to the third full paragraph of</p> <p>14 Exhibit Number 6, page 216. Another regret you</p> <p>15 express is that you should have taken the matter up</p> <p>16 with proper authorities such as the police, Apple, and</p> <p>17 IT. So you didn't go to the police as we've</p> <p>18 established, correct?</p> <p>19 A. Yeah, at that point I had not.</p> <p>20 Q. Okay. And you had not gone to Apple as of that point,</p> <p>21 correct?</p> <p>22 A. Correct.</p> <p>23 Q. Even though you'd represented to Roe that you had?</p> <p>24 A. Correct.</p> <p>25 Q. Okay. So in terms of the lies that you had told Roe,</p>	<p style="text-align: right;">Page 276</p> <p>1 A. Yes, that would be correct.</p> <p>2 Q. Alright. So you made misrepresentations to her about</p> <p>3 what Apple had told you you needed because you hadn't</p> <p>4 talked to them to be able to unlink the accounts?</p> <p>5 A. Yes, because I thought that would fix the hacking</p> <p>6 issue at the time.</p> <p>7 Q. Alright. And you were trying to get her to give up</p> <p>8 her ID and password to iCloud so that you could get</p> <p>9 into the account and telling her that Apple had</p> <p>10 suggested that that was the resolution to your</p> <p>11 problem?</p> <p>12 A. I think it should be noted that I asked for a</p> <p>13 temporary password, not the real password, and I also</p> <p>14 think it should be noted that I offered to meet in</p> <p>15 person so she could do it as well.</p> <p>16 Q. Alright. Let's go to the next page, 217, second full</p> <p>17 paragraph. You write, quote: In my eyes while these</p> <p>18 actions do represent a character flaw that I deeply</p> <p>19 regret --</p> <p>20 Let's stop right there. Again, you're</p> <p>21 admitting to a character flaw, correct?</p> <p>22 A. Yes.</p> <p>23 Q. Why were you admitting to a character flaw at that</p> <p>24 point; if you're in the dark with what was at issue,</p> <p>25 why were you admitting to a character flaw?</p>
<p style="text-align: right;">Page 275</p> <p>1 you misrepresented having gone to the police, you</p> <p>2 misrepresented having a lawyer, you misrepresented</p> <p>3 having gone to Apple and gotten the information you</p> <p>4 were then sending her to convince her to give up her</p> <p>5 password and allow you into her computer?</p> <p>6 A. No, I never tried to get into her computer or</p> <p>7 attempted to get into her computer.</p> <p>8 Q. How were you going to, quote, unlink your two accounts</p> <p>9 if you did not get access to her computer once she</p> <p>10 gave up her ID and password?</p> <p>11 A. In any of those messages, there was never any attempt</p> <p>12 or want to get into her computer.</p> <p>13 Q. Well, you would have had to have gotten -- the reason</p> <p>14 you wanted the password and user ID was to get on her</p> <p>15 computer and from your perspective do something to</p> <p>16 unlink the two?</p> <p>17 A. No, that is completely incorrect.</p> <p>18 Q. So what would you have done with her iCloud password</p> <p>19 and ID if she had given it to you?</p> <p>20 A. I would have logged in and logged out.</p> <p>21 Q. Logged in to her account, right?</p> <p>22 A. Yes, the iCloud account.</p> <p>23 Q. Let me make a correction. You're not going to</p> <p>24 physically be on her computer but you're going to be</p> <p>25 on her account?</p>	<p style="text-align: right;">Page 277</p> <p>1 A. Because the Student Code of Conduct makes</p> <p>2 accommodations for students who take accountability</p> <p>3 for their actions and want to fix those actions. In</p> <p>4 retrospect, I wanted to fix those, and I would have</p> <p>5 gone about it a different way by going to the police</p> <p>6 at the beginning.</p> <p>7 Q. Why didn't you say in your statement if this was truly</p> <p>8 the case, I don't understand what the issue is here,</p> <p>9 tell me what the concerns are about my conduct, rather</p> <p>10 than just saying, I have a major character flaw and</p> <p>11 then on the next page saying I have a character flaw,</p> <p>12 I deeply regret everything, I deeply regret the</p> <p>13 textbook and Facebook messages; if you truly had no</p> <p>14 idea what was being talked about, why didn't you say</p> <p>15 that in your statement?</p> <p>16 A. I wish I would have said that to be honest with you.</p> <p>17 I think that's the problem of drafting a letter like</p> <p>18 this after you go into a meeting without knowing why</p> <p>19 you're going in there while being in a very rigorous</p> <p>20 medical program, but yeah, I wish I would have done it</p> <p>21 like that. I'm not a lawyer, and I didn't know to do</p> <p>22 that because I was never advised to do something like</p> <p>23 that. All I was reading was the Student Code of</p> <p>24 Conduct at the time and trying to make a statement</p> <p>25 that was both truthful and that would, you know,</p>



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<p style="text-align: right;">Page 286</p> <p>1 decision?</p> <p>2 A. Well, they did not let me know what was a factor in</p> <p>3 their decision, which is why I asked for the</p> <p>4 deliberations before my dismissal so I could know what</p> <p>5 I was being accused of.</p> <p>6 Q. Are you aware of anything that has ever been said by</p> <p>7 any of the decision-makers in the whole process that</p> <p>8 would suggest that gender or issues of a sexual nature</p> <p>9 were a factor in their decision?</p> <p>10 A. I think the testimony that was given against me was a</p> <p>11 major factor in their decision against me.</p> <p>12 Q. Can you answer my question?</p> <p>13 A. I am answering your question.</p> <p>14 Q. So your answer then keeps going back to because there</p> <p>15 was a reference made to Snapchat and photos on</p> <p>16 Snapchat, that the decision-makers must have been</p> <p>17 influenced and relied upon that in making their</p> <p>18 decision?</p> <p>19 A. Do you not think that the decision-makers weren't</p> <p>20 influenced by the testimony of the witness?</p> <p>21 Q. I'm not here to answer your questions first.</p> <p>22 A. Hypothetically.</p> <p>23 Q. That is a rule of this proceeding. Secondly, I do not</p> <p>24 just conclude and I don't think any reasonable person</p> <p>25 would that everything a witness has to say is going to</p>	<p style="text-align: right;">Page 288</p> <p>1 decision-makers had in mind when making their</p> <p>2 decisions, and I think it was based on the testimony</p> <p>3 that was given against me, which I didn't have an</p> <p>4 opportunity to be asked about or defend myself</p> <p>5 against.</p> <p>6 Q. Alright. Let's go back to Exhibit 6, 2017 -- strike</p> <p>7 that.</p> <p>8 Let's go back to Exhibit 6, page 217 and to</p> <p>9 the second full paragraph on that page. We started</p> <p>10 with the first sentence in which you again acknowledge</p> <p>11 that your actions constitute a character flaw, but</p> <p>12 then you proceed and you say, quote: It is not</p> <p>13 against the Student Code of Conduct of the medical</p> <p>14 school to mislead a third-party individual who is not</p> <p>15 a student at the time the alleged incident took place</p> <p>16 about a private matter that has nothing to do with the</p> <p>17 university, medicine, me or my studies.</p> <p>18 So are you suggesting there that dishonesty</p> <p>19 if it doesn't involve a student is not an issue of</p> <p>20 concern for the medical school about someone who seeks</p> <p>21 to become a future physician with one of their</p> <p>22 degrees?</p> <p>23 A. That's not what the -- that's not what the email sent</p> <p>24 to me by Ms. Camaj said. It said that my actions were</p> <p>25 because of an incident that took place on campus, and</p>
<p style="text-align: right;">Page 287</p> <p>1 become a factor in a decision.</p> <p>2 So do you know anything about what the</p> <p>3 decision-makers said either in writing or verbally</p> <p>4 that would indicate that gender or issues of a sexual</p> <p>5 concern were a driver in their decision?</p> <p>6 MR. ROSSMAN: Excuse me. I know you've</p> <p>7 given me a standing objection, but things are getting</p> <p>8 quite argumentative right now. You're making long</p> <p>9 speeches. I just ask that you ask questions, and I'm</p> <p>10 letting you ask and answer this a lot. So, please,</p> <p>11 accept his answer and move on.</p> <p>12 BY MS. HARDY:</p> <p>13 Q. I want specifically to know if you have heard anything</p> <p>14 attributed to one of the decision-makers that supports</p> <p>15 your conclusion that gender or something of a sexual</p> <p>16 nature influenced their decision?</p> <p>17 A. The decision-makers, I wasn't present for their</p> <p>18 deliberations.</p> <p>19 Q. So the answer is no?</p> <p>20 MR. ROSSMAN: Asked and answered.</p> <p>21 THE WITNESS: No, the answer is not no.</p> <p>22 BY MS. HARDY:</p> <p>23 Q. Well, what is the answer to my question about the</p> <p>24 decision-makers?</p> <p>25 A. Like I said, I think it's obvious what the</p>	<p style="text-align: right;">Page 289</p> <p>1 none of this took place on campus, and that's what I'm</p> <p>2 referring to here and, you know, I think that if every</p> <p>3 person who, you know, says a white lie for a good</p> <p>4 reason were dismissed from medical school, we'd have</p> <p>5 very few doctors.</p> <p>6 Q. What was the white lie that you told?</p> <p>7 A. The white lies were that I went to the police or that</p> <p>8 I had contacted Apple about this issue, but the</p> <p>9 reasonings were all true. It was because I thought</p> <p>10 that this person had unauthorized access to my</p> <p>11 accounts, and I was sick of having all of my accounts</p> <p>12 hacked very frequently only after I met her and she</p> <p>13 had access to the accounts.</p> <p>14 Q. Representing you had a lawyer was also a white lie?</p> <p>15 A. I never represented I had a lawyer.</p> <p>16 Q. Let's go back to the question, though. I'm trying to</p> <p>17 understand what you're saying in this sentence. Do</p> <p>18 you believe that it's no business of the medical</p> <p>19 school to be concerned about dishonesty so long as, of</p> <p>20 one of its medical students, so long as that</p> <p>21 dishonesty does not involve a student?</p> <p>22 A. No. I think if it involves a student, a faculty</p> <p>23 member, a patient, someone that, you know, someone</p> <p>24 that has something regarding the school but this</p> <p>25 didn't have anything regarding the school.</p>

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<p style="text-align: right;">Page 290</p> <p>1 Q. So dishonesty outside the realm of something having to</p> <p>2 do with the school is in your view none of the</p> <p>3 business of the medical school when it's making</p> <p>4 decisions about professionalism?</p> <p>5 A. Well, I think it could have something to do with it,</p> <p>6 but I don't think it did in this case based on the</p> <p>7 facts of what was going on in this case.</p> <p>8 Q. Alright. Well, just to go back to what you said</p> <p>9 earlier, Roe was actually a student during the time in</p> <p>10 which you were dealing with her, at least for a</p> <p>11 portion of it, correct?</p> <p>12 A. For the beginning portion, the 2016 portion.</p> <p>13 Q. And '17?</p> <p>14 A. I'm not sure when she stopped being a student, but at</p> <p>15 the time the complaint was filed, at the time when,</p> <p>16 you know, the text messages in 2018 took place and</p> <p>17 also that time, 2016, 2017, I wasn't a medical student</p> <p>18 at that time which I think is another important</p> <p>19 factor. I was younger. Like I said, I do regret it.</p> <p>20 I wish I would have went about it differently, and I</p> <p>21 think if I had been mature to the point where I was in</p> <p>22 medical school and this whole thing had started, I</p> <p>23 would have gone about it differently which is why I</p> <p>24 submitted that plan to the committee, but no, I think</p> <p>25 this was a private matter that really didn't have</p>	<p style="text-align: right;">Page 292</p> <p>1 tell me which, if any, of these text messages you did</p> <p>2 not see, if you have a recall at the time of your</p> <p>3 dealings with Ms. Camaj.</p> <p>4 A. And what you have in front of me, Deposition 31, these</p> <p>5 are what exactly?</p> <p>6 Q. So Exhibit Number 11 to the first deposition is the</p> <p>7 Camaj report with all the attachments. You</p> <p>8 acknowledged under oath that you had seen the Camaj</p> <p>9 report with most of the attachments but not all of</p> <p>10 them. You then testified that you had not seen some</p> <p>11 portion of the exhibits to that report which are Bates</p> <p>12 Stamped 231 to 241. That is what you now have in</p> <p>13 front of you as Exhibit Number 31.</p> <p>14 A. I testified that I had seen the Camaj report when</p> <p>15 Dr. Jackson showed it to me during our meeting.</p> <p>16 Q. Okay.</p> <p>17 A. Because I don't think Camaj had written it yet when I</p> <p>18 first met with her.</p> <p>19 Q. That was your January 25 meeting, correct?</p> <p>20 A. With Dr. Jackson, yes, it sounds about right. So when</p> <p>21 I met with Camaj, she showed me some of these</p> <p>22 messages, but it certainly wasn't all of them. I</p> <p>23 don't think we met for a long enough time for her to</p> <p>24 show me all of them, but I do not know which ones in</p> <p>25 particular. Let me just read through them to make</p>
<p style="text-align: right;">Page 291</p> <p>1 anything to do with the school.</p> <p>2 Q. And, therefore, the fact that you were dishonest in</p> <p>3 connection with Roe, your communications and how</p> <p>4 you're dealing with her is none of the business of the</p> <p>5 medical school?</p> <p>6 A. It wasn't any of the business of the medical school.</p> <p>7 MARKED FOR IDENTIFICATION:</p> <p>8 EXHIBIT 31</p> <p>9 Text messages with</p> <p>10 Investigation Report attached</p> <p>11 11:47 a.m.</p> <p>12 BY MS. HARDY:</p> <p>13 Q. Let's look at Exhibit Number 31. I'll provide you</p> <p>14 with a copy. In your first deposition, you testified</p> <p>15 on pages 174 and 175 that Camaj showed you most of the</p> <p>16 text messages, Facebook messages that were a part of</p> <p>17 the Camaj report which is Exhibit 11 to your first</p> <p>18 deposition. You then said that you didn't see</p> <p>19 everything that was part of the Bates range labeled</p> <p>20 231 to 241, and you couldn't recall which ones you'd</p> <p>21 seen and which ones you hadn't. You didn't have any</p> <p>22 recollection at that time.</p> <p>23 So I have isolated in Exhibit 31 the Bates</p> <p>24 ranges of 231 through 241 which are all part of the</p> <p>25 Camaj report. I'd like you to look through them and</p>	<p style="text-align: right;">Page 293</p> <p>1 sure if I recall anything.</p> <p>2 MR. ROSSMAN: For the record, what does</p> <p>3 Exhibit 11 represent?</p> <p>4 MS. HARDY: It's the Camaj report.</p> <p>5 MR. ROSSMAN: Why are the Bates Numbers not</p> <p>6 sequential? They seem to be missing pages.</p> <p>7 MS. HARDY: They're not missing. They were</p> <p>8 Bates Stamped out of order, and they're just put in</p> <p>9 chronological order so that it makes more sense when</p> <p>10 you're reading through it.</p> <p>11 MR. ROSSMAN: So this is the Camaj report?</p> <p>12 MS. HARDY: Yes.</p> <p>13 MR. ROSSMAN: But the exhibit was created</p> <p>14 for purposes of becoming an exhibit, and that's why</p> <p>15 the Bates Numbers are out of order?</p> <p>16 MS. HARDY: Well, slightly incorrect but</p> <p>17 close. The pages of the Camaj report are all the</p> <p>18 pages of the actual report. Nothing's been added or</p> <p>19 deleted. There has been some reorganization of the</p> <p>20 attachments just so that they read in chronological</p> <p>21 order.</p> <p>22 MR. ROSSMAN: Okay. But if we put these</p> <p>23 all in order, it would be in chronological Bates</p> <p>24 Numbering, like this is actually his report produced</p> <p>25 with his attachments?</p>

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<p style="text-align: right;">Page 298</p> <p>1 A. I would not have said I didn't send those. I did send</p> <p>2 those messages. But I would have clarified that, you</p> <p>3 know, I think once you start putting Snapchat into</p> <p>4 this, it starts to get a little, you know, starts to</p> <p>5 get a little different because Snapchat can be</p> <p>6 suggestive of other actions. So I would have</p> <p>7 clarified that this had nothing to do with Snapchat.</p> <p>8 It was simply a matter of me trying to fix my accounts</p> <p>9 that had been hacked, and that included the Snapchat</p> <p>10 account.</p> <p>11 Q. What else, if anything, would you have added to your</p> <p>12 statement or to your comments to Camaj had you looked</p> <p>13 at 226 and 227 prior to concluding your dealings with</p> <p>14 her as of December 4, 2018?</p> <p>15 A. I think if I would have saw those, I would have done</p> <p>16 things differently. I probably would have hired a</p> <p>17 lawyer at that point to help defend me, for example.</p> <p>18 I probably would have offered my phone and my laptop</p> <p>19 to the school at an earlier point than I did if I had</p> <p>20 known that this was part of the issues at play, and I</p> <p>21 probably would have been a lot more defensive in my</p> <p>22 statement to her instead of, you know, what the</p> <p>23 statement says currently.</p> <p>24 Q. Simply because there is a reference to Snapchat that</p> <p>25 had been brought into the picture?</p>	<p style="text-align: right;">Page 300</p> <p>1 where she told me to address that, and that's what I'm</p> <p>2 saying, I didn't know about that -- I'm sorry -- I</p> <p>3 misspoke there, not Ms. Camaj, Ms. Robichaud, my</p> <p>4 medical school counselor, because I didn't know about</p> <p>5 that until that late in the process.</p> <p>6 Q. Alright. So up until now we've been talking about</p> <p>7 what you knew from Ms. Camaj during the investigation?</p> <p>8 A. Yes.</p> <p>9 Q. But after December 4 when she completes her report and</p> <p>10 she submits that report to the School of Medicine, you</p> <p>11 then meet with Dr. Jackson on January 25?</p> <p>12 A. That's correct.</p> <p>13 Q. In advance of the February 7th Professionalism</p> <p>14 Committee hearing?</p> <p>15 A. Yes.</p> <p>16 Q. And you looked through the entire Camaj report at that</p> <p>17 point, correct?</p> <p>18 A. I don't know if it was the entire Camaj report. I</p> <p>19 looked through what he had at the time.</p> <p>20 Q. Well, you've seen Exhibit 11. You previously</p> <p>21 identified this is the document that Dr. Jackson</p> <p>22 showed you?</p> <p>23 A. Well, again, I don't recall 226 or 227 being in that</p> <p>24 report that Dr. Jackson showed me.</p> <p>25 Q. But you knew at that point in time and you did</p>
<p style="text-align: right;">Page 299</p> <p>1 A. I think that changes things. Not only Snapchat but</p> <p>2 also about the address thing on 226.</p> <p>3 Q. And what would you have said about that; what's the</p> <p>4 significance of that?</p> <p>5 A. I think it is significant. I don't know exactly what</p> <p>6 I would have said about it at the time, but like I</p> <p>7 said, I think it would have caused me to see these</p> <p>8 actions a little differently, especially when taking</p> <p>9 into account the type of questioning I was getting</p> <p>10 from Ms. Camaj.</p> <p>11 Q. Alright. You mentioned just a moment ago that you</p> <p>12 would have given the university access to your phone</p> <p>13 and laptop at an earlier point in time?</p> <p>14 A. Uh-huh.</p> <p>15 Q. When did you give them access to your phone and</p> <p>16 laptop?</p> <p>17 A. I offered to give them access.</p> <p>18 Q. Who did you offer and when?</p> <p>19 A. It was included in the addendum to the Promotions</p> <p>20 Committee.</p> <p>21 Q. The one that was addressing photos?</p> <p>22 A. What was that?</p> <p>23 Q. The one in which you were addressing photos in</p> <p>24 Snapchat?</p> <p>25 A. Yes, because that's after I had spoken to Ms. Camaj</p>	<p style="text-align: right;">Page 301</p> <p>1 address, even if you don't recall 226 or 227, that</p> <p>2 there had been a concern raised by Roe that you had</p> <p>3 hacked her Snapchat account?</p> <p>4 A. I don't think I had addressed that concern at that</p> <p>5 point yet.</p> <p>6 Q. You addressed that during the Promotions Committee,</p> <p>7 didn't you?</p> <p>8 A. No.</p> <p>9 Q. You wrote an addendum to your statement in which you</p> <p>10 addressed that, that's 19, correct?</p> <p>11 A. Yes, but that came much after the Professionalism</p> <p>12 Committee meeting that you're speaking of now.</p> <p>13 Q. What is the date of Exhibit 19? You don't date it.</p> <p>14 Do you know when it was drafted?</p> <p>15 A. Exhibit 19 is the addendum?</p> <p>16 Q. Yes.</p> <p>17 A. It was drafted a couple of days before my appeal to</p> <p>18 the Promotions Committee that would have been either</p> <p>19 in March or April of 2019.</p> <p>20 Q. You certainly knew at this point in time that there</p> <p>21 was a concern at least raised by Roe or Roe's mother</p> <p>22 that you had accessed her Snapchat account?</p> <p>23 A. No. The only thing I knew was that Ms. Robichaud in</p> <p>24 one of our prior meetings prior to that appeal where</p> <p>25 she was reviewing my appeal which originally did not</p>

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<p style="text-align: right;">Page 302</p> <p>1 include any reference as you were just suggesting.</p> <p>2 Ms. Robichaud said I should include a reference to</p> <p>3 that.</p> <p>4 Q. When was that conversation?</p> <p>5 A. With Ms. Robichaud?</p> <p>6 Q. Yes.</p> <p>7 A. It would have been in probably the week preceding the</p> <p>8 appeal to the Promotions Committee. This is the</p> <p>9 appeal after the Professionalism Committee made their</p> <p>10 decision, and I was appealing their decision.</p> <p>11 Q. And that's when you claim you first learned that there</p> <p>12 had been a concern expressed by Roe about you hacking</p> <p>13 her Snapchat account?</p> <p>14 A. That's correct.</p> <p>15 Q. Alright. Let's go back.</p> <p>16 Do you know when the university first</p> <p>17 learned that Roe had a concern about you potentially</p> <p>18 having hacked her Snapchat account?</p> <p>19 A. No.</p> <p>20 Q. So you don't know whether or not Ms. Camaj was aware</p> <p>21 of that before she drafted her report, do you?</p> <p>22 A. I don't know if it was then or after the fact. I know</p> <p>23 that it wasn't shown to me at that time.</p> <p>24 Q. Let's talk for a moment about Loretta Robichaud. She</p> <p>25 was a student counselor, correct?</p>	<p style="text-align: right;">Page 304</p> <p>1 A. Yeah, she was my class counselor. I thought that</p> <p>2 she -- you know, I had met with her a couple times</p> <p>3 prior during my M1 and M2 year. I always got positive</p> <p>4 feedback from her regarding school matters.</p> <p>5 Q. Did you bring to her attention the situation that you</p> <p>6 learned about in November, 2018, concerning the Roe</p> <p>7 complaint, or did she approach you about it?</p> <p>8 A. Are you speaking of after the complaint was filed or</p> <p>9 --</p> <p>10 Q. The fact that there was a complaint, the fact that --</p> <p>11 A. I didn't talk to her about that. The first time I</p> <p>12 heard about the complaint was from Ms. Camaj, not from</p> <p>13 Ms. Robichaud.</p> <p>14 Q. Alright. So let's focus on Ms. Robichaud.</p> <p>15 A. Okay.</p> <p>16 Q. What discussions did you have with her about issues</p> <p>17 related to the Roe complaint; what did they consist</p> <p>18 of?</p> <p>19 A. We met a couple times. One of those times was with</p> <p>20 Dr. Chadwell. Most of the discussion was about</p> <p>21 process, not about the actual complaint, itself.</p> <p>22 Q. Did you have discussions about something other than</p> <p>23 process that related to the Roe complaint at any point</p> <p>24 in time with Loretta Robichaud?</p> <p>25 A. Well, yes, she told me -- well, yeah, I mean she had</p>
<p style="text-align: right;">Page 303</p> <p>1 A. Yes.</p> <p>2 Q. And she was your counselor before the incidents that</p> <p>3 related to the investigation took place?</p> <p>4 A. Yes, she was the counselor for my whole class, the</p> <p>5 class of 2021.</p> <p>6 Q. Okay. So you understood she wasn't a decision-maker</p> <p>7 in anything related to what would happen in connection</p> <p>8 with the complaint filed by Ms. Roe; that wasn't her</p> <p>9 role and you understood that?</p> <p>10 A. She wasn't on the committee.</p> <p>11 Q. She wasn't on the committee, and she wasn't anybody</p> <p>12 who had a say in the outcome?</p> <p>13 A. I didn't know if she'd have a say or not. She was</p> <p>14 present in the room, so, she might have had a say.</p> <p>15 Q. But you don't have any reason to assert that she had</p> <p>16 any decision-making authority or was in any way part</p> <p>17 of the decision-making group?</p> <p>18 A. No. I do think she could have been part of the</p> <p>19 decision-making group or a dialogue that maybe took</p> <p>20 place.</p> <p>21 Q. You're speculating, correct?</p> <p>22 A. Well, you asked me if I know, and I'm saying I do not</p> <p>23 know.</p> <p>24 Q. Okay. Thank you. So how was your relationship,</p> <p>25 describe it, with Ms. Robichaud; was it professional?</p>	<p style="text-align: right;">Page 305</p> <p>1 read my statements that I was getting ready to submit</p> <p>2 to the committee, both committees, both the</p> <p>3 Professionalism Committee, the Promotions Committee</p> <p>4 and the addendum to the Promotions Committee. She</p> <p>5 reviewed those documents and gave me advice on what to</p> <p>6 include or not include, and she also gave me advice on</p> <p>7 what she thought my chances of success were, and we</p> <p>8 also talked about the ability to withdraw that I</p> <p>9 mentioned during my last deposition, and then towards</p> <p>10 the end, like I stated earlier, she alerted me of the</p> <p>11 Snapchat photos issue.</p> <p>12 Q. Do you have any notes concerning your conversations</p> <p>13 with Loretta Robichaud?</p> <p>14 A. No, I don't. At one point during one of our meetings,</p> <p>15 I believe it was the meeting with Dr. Chadwell, I had</p> <p>16 pulled my phone out to check a message, and she asked</p> <p>17 me to put my phone away because she didn't want me to</p> <p>18 record our conversation.</p> <p>19 Q. And you did not, correct?</p> <p>20 A. I did not record the conversation.</p> <p>21 Q. And you didn't record any conversations with Loretta</p> <p>22 Robichaud, correct?</p> <p>23 A. That's correct.</p> <p>24 Q. Alright. So let's go back to She read my statements</p> <p>25 and provided advice. Let's start with your</p>

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<p style="text-align: right;">Page 306</p> <p>1 December 4, 2018 statement that you submitted to</p> <p>2 Nikolina Camaj.</p> <p>3 A. Okay.</p> <p>4 Q. What advice did Ms. Robichaud provide on that</p> <p>5 statement?</p> <p>6 A. She did not because I had not spoken with her about it</p> <p>7 at that point. I don't believe even the School of</p> <p>8 Medicine was aware of it at that point because Camaj</p> <p>9 had not sent it to the School of Medicine yet.</p> <p>10 Q. So you didn't first start talking about the Roe</p> <p>11 complaint with Robichaud until the issue was referred</p> <p>12 by Nikolina Camaj to Margit Chadwell, correct?</p> <p>13 A. That is correct.</p> <p>14 Q. Okay.</p> <p>15 A. And you guys know, I'm sure you know the meeting times</p> <p>16 that I had with Ms. Robichaud. They're all in the</p> <p>17 university system or in her emails, so, you should be</p> <p>18 able to find that out pretty easily.</p> <p>19 Q. When you met with her, was there anyone else present,</p> <p>20 or was it just one-on-one?</p> <p>21 A. It was just her and I either in her office or in the</p> <p>22 Student Affairs office, which I believe was -- there</p> <p>23 was some construction going on, so, it would have been</p> <p>24 various rooms around that area.</p> <p>25 Q. What advice did Ms. Robichaud provide you about</p>	<p style="text-align: right;">Page 308</p> <p>1 mother previously to that document as well.</p> <p>2 Q. Did she make any suggestions about changing the</p> <p>3 substantive content of your written statement?</p> <p>4 A. She said that whenever she would read it, she would</p> <p>5 give me positive feedback saying it was good. So she</p> <p>6 didn't tell me to change anything. She just said on</p> <p>7 multiple occasions that she thought the testimony was</p> <p>8 honest and true.</p> <p>9 Q. Okay. So she didn't at any point in time say write</p> <p>10 this or change this part of your writing; she just</p> <p>11 gave you kind of general overall feedback about</p> <p>12 whether she thought it was good or not good?</p> <p>13 A. There were small things she told me to change. I</p> <p>14 don't recall what those were off the top of my head at</p> <p>15 this moment.</p> <p>16 Q. Anything of significance?</p> <p>17 A. Yeah, she told me to make that addendum, that's pretty</p> <p>18 significant, and include the explanation for the</p> <p>19 Snapchat accusation.</p> <p>20 Q. When did she tell you to do that?</p> <p>21 A. That was in the weeks leading up to my appeal to the</p> <p>22 Promotions Committee.</p> <p>23 Q. So did she specifically read the addendum, which is</p> <p>24 Exhibit 19 to your first deposition, prior to you</p> <p>25 submitting it?</p>
<p style="text-align: right;">Page 307</p> <p>1 working through the process in connection with the Roe</p> <p>2 complaint?</p> <p>3 A. She told me to be honest. She told me honesty was the</p> <p>4 best way to get this put behind me. She read my</p> <p>5 statements and she said she thought they were strong,</p> <p>6 honest statements. She said specifically she thought</p> <p>7 my chances of success was about 50/50. She told me</p> <p>8 after Dr. Baker had let me continue on with taking my</p> <p>9 exams and completing my year two course work, she said</p> <p>10 that was a very good sign because other people that</p> <p>11 are before these committees are usually not allowed to</p> <p>12 do that, depending on the severity of the accusations</p> <p>13 and yeah, you know, she kind of made it seem like this</p> <p>14 was something I was going to get past and be able to</p> <p>15 continue on with my education.</p> <p>16 Q. Did she provide any particular input on the content of</p> <p>17 your statements before the Professionalism or</p> <p>18 Promotions Committee?</p> <p>19 A. Yes, she had read the statements and provided inputs.</p> <p>20 Specifically I recall with the statements to the</p> <p>21 Promotions Committee which included, you know, all of</p> <p>22 my messages, not messages, all of my documents showing</p> <p>23 that I was hacked, she told me to include those at</p> <p>24 that time, and she also told me to include the</p> <p>25 conversations I had had which you brought up with my</p>	<p style="text-align: right;">Page 309</p> <p>1 A. I'm not sure if she read it or not.</p> <p>2 Q. Alright. But she told you to write that to deal with</p> <p>3 the Snapchat issue?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And to deal with the suggestion that you may</p> <p>6 have used the Snapchat to access photos of Roe?</p> <p>7 A. I don't know if she used that phrase exactly, but she</p> <p>8 told me about this accusation of photos and Snapchat,</p> <p>9 and she said I had to address it.</p> <p>10 Q. So tell me as best you can recall, since you don't</p> <p>11 have a writing to memorialize what she said or a</p> <p>12 recording, what did Loretta Robichaud tell you about</p> <p>13 the Snapchat allegation and the possibility that you</p> <p>14 may have been trying to access photos; what were her</p> <p>15 words?</p> <p>16 A. We were sitting in her office, and she said, Anthony,</p> <p>17 what is this stuff about Snapchat and photos?</p> <p>18 And then I told her: I don't know what</p> <p>19 you're talking about. What do you mean Snapchat or</p> <p>20 photos?</p> <p>21 And she told me that there is an accusation</p> <p>22 that I tried to get into Roe's Snapchat to obtain</p> <p>23 photos, and I told her that that's the first I'm</p> <p>24 hearing of it, and I didn't see any evidence to back</p> <p>25 that suggestion at that time, and she told me, Well,</p>



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<p style="text-align: right;">Page 390</p> <p>1 Q. Are there any other facts?</p> <p>2 MR. ROSSMAN: Asked and answered.</p> <p>3 THE WITNESS: I think we went over all of</p> <p>4 the things I would have told the committee already,</p> <p>5 which are factual things.</p> <p>6 BY MS. HARDY:</p> <p>7 Q. Alright. Let's go to page 21, the paragraph</p> <p>8 concerning Ms. Blank said that she felt horrified</p> <p>9 during the two-year period of harassment. Had you</p> <p>10 heard her testimony on that issue, what would you have</p> <p>11 wanted the committee to know in your defense?</p> <p>12 A. Well, I would have wanted them to know I think she's</p> <p>13 misrepresenting her own feelings there, and saying</p> <p>14 that suggests to make it look worse for me.</p> <p>15 Q. Is there anything else you would have wanted them to</p> <p>16 know?</p> <p>17 A. That she never communicated feeling horrified to me.</p> <p>18 The paragraph goes onto say she regularly experienced</p> <p>19 anxiety due to potentially running into Mr. Eid on</p> <p>20 campus. I'd like to know why she said that. I'd like</p> <p>21 to know why she thought her anxiety was due to me and</p> <p>22 not her own anxiety. You know, I would wonder if she</p> <p>23 had a doctor tell her that her anxiety was due to me</p> <p>24 or not. I would go into asking or trying to figure</p> <p>25 out why she moved to Colorado, if it actually was</p>	<p style="text-align: right;">Page 392</p> <p>1 treatment?</p> <p>2 A. After I was dismissed and I became mentally ill due to</p> <p>3 the dismissal, yes.</p> <p>4 Q. So prior to the dismissal, you did not feel you were</p> <p>5 in need of any kind of mental health treatment?</p> <p>6 A. The only type of mental health treatment that I would</p> <p>7 have required was due to the stress and anguish of</p> <p>8 going through this process.</p> <p>9 Q. Apart from that, you felt you were a healthy, whole</p> <p>10 person?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. So any statements to the effect that you needed</p> <p>13 treatment were all false just to appear like you were</p> <p>14 making concessions to get beyond the pickle you were</p> <p>15 in?</p> <p>16 A. That's not what I said. I didn't say they were false.</p> <p>17 I already said that at that time when I wrote that, I</p> <p>18 was experiencing anguish and anxiety due to being</p> <p>19 accused of something that I didn't do and had no</p> <p>20 understanding of what I was being accused of.</p> <p>21 Q. Okay. The five steps that you committed to take in</p> <p>22 your self improvement plan, did you think you needed</p> <p>23 to take any of those, or were those also just because</p> <p>24 it sounded good?</p> <p>25 A. I never said it was because it sounded good. I said</p>
<p style="text-align: right;">Page 391</p> <p>1 because of me or because of perhaps an opportunity</p> <p>2 over there.</p> <p>3 There's, yeah, all of that and much more.</p> <p>4 I would ask why was she scared, did I say anything to</p> <p>5 scare her or did I attempt to meet with her after that</p> <p>6 first initial meeting? I don't think so.</p> <p>7 Q. Why did you propose your five-step plan for self</p> <p>8 improvement?</p> <p>9 A. Because Ms. Robichaud instructed me to make a plan to</p> <p>10 the committee.</p> <p>11 Q. You came up with the terms of the plan yourself?</p> <p>12 A. Well, Ms. Robichaud had suggested that I should start</p> <p>13 seeing somebody about this professionally, which I</p> <p>14 acquiesced to. That's about the psychiatrist. She</p> <p>15 also offered to meet with me for check-ins on a</p> <p>16 monthly basis. She also suggested that I write the</p> <p>17 apology letter, even though I had previously been told</p> <p>18 not to do that, and as far as number 5 goes, the</p> <p>19 School of Medicine is very big on reflections as a</p> <p>20 positive outlook for students. So I thought that</p> <p>21 would help, too.</p> <p>22 Q. So you say you acquiesced to treatment. You didn't</p> <p>23 think you needed treatment?</p> <p>24 A. At that time, no, I didn't think I needed treatment.</p> <p>25 Q. Okay. Did you conclude later on that, yes, I do need</p>	<p style="text-align: right;">Page 393</p> <p>1 it's what Ms. Robichaud had told me to include.</p> <p>2 Q. Well, but you're the person whose future is at stake?</p> <p>3 A. Yes.</p> <p>4 Q. And you're writing to explain hopefully in an honest</p> <p>5 way what you see as having done wrong or being</p> <p>6 misunderstood, whatever the case may be. Don't you</p> <p>7 feel you need to be honest about that report?</p> <p>8 A. I was honest in the report. There is not one lie here</p> <p>9 in this report at all. I would have done all of those</p> <p>10 things if the school had thought I should or even if</p> <p>11 they didn't think I should after I submitted this, I</p> <p>12 would have gone on with my medical school education.</p> <p>13 I would have done all five of them. That's very</p> <p>14 truthful.</p> <p>15 Q. But you didn't acknowledge that those are really</p> <p>16 necessary things that you needed to do to be a better</p> <p>17 person; you were just committing to do it if that was</p> <p>18 going to get you beyond the issue?</p> <p>19 A. I put these in here, again -- I mean, I already</p> <p>20 answered that literally like twice now, two or three</p> <p>21 times.</p> <p>22 Q. But it's still not clear whether or not you felt that</p> <p>23 those were things you really needed to do for yourself</p> <p>24 to be a better person as opposed to just telling the</p> <p>25 School of Medicine what you thought they wanted to</p>



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<p style="text-align: right;">Page 394</p> <p>1 hear?</p> <p>2 A. I don't think I -- I don't think I'm --</p> <p>3 Can you repeat that question.</p> <p>4 MS. HARDY: Can you read it back, please.</p> <p>5 (The requested portion of the record was</p> <p>6 read by the reporter at 2:34 p.m. as</p> <p>7 follows:</p> <p>8 "Question: But it's still not clear</p> <p>9 whether or not you felt that those were</p> <p>10 things you really needed to do for yourself</p> <p>11 to be a better person as opposed to just</p> <p>12 telling the School of Medicine what you</p> <p>13 thought they wanted to hear?")</p> <p>14 THE WITNESS: It's not what I thought they</p> <p>15 wanted to hear. It was what they told me to include</p> <p>16 in the letter.</p> <p>17 BY MS. HARDY:</p> <p>18 Q. But that's the same issue. Is it genuine that you</p> <p>19 really recognized the need for self improvement, or is</p> <p>20 it just saying it because that's going to sound good?</p> <p>21 A. I think everybody can use some self improvement. I'm</p> <p>22 sitting here today and trying to improve myself every</p> <p>23 single day, and these steps would help me improve as a</p> <p>24 person just how they'd help anybody improve as a</p> <p>25 person.</p>	<p style="text-align: right;">Page 396</p> <p>1 as well as Ms. Robichaud and Dr. Chadwell.</p> <p>2 Q. Okay.</p> <p>3 A. In fact, there's one more. I remember Dr. Waineo</p> <p>4 being there as well, but most of the other people I</p> <p>5 had never met before.</p> <p>6 Q. Okay. What do you recall about the meeting in terms</p> <p>7 of what you had to say, what was asked of you, what</p> <p>8 other people had to say?</p> <p>9 A. I recall trying to make a statement again and</p> <p>10 Dr. Baker sitting to my left asking me to stop reading</p> <p>11 the statement saying that the committee already had</p> <p>12 it. I remember once again offering copies of my</p> <p>13 professionalism record, which was an excellent</p> <p>14 professionalism record, an objective professionalism</p> <p>15 record that the school administers, offering that to</p> <p>16 the committee members, which they didn't take.</p> <p>17 The one question I remember being asked</p> <p>18 during that meeting was why did -- the question was</p> <p>19 why did I lie to the Professionalism Committee in</p> <p>20 which I said I did not lie to the Professionalism</p> <p>21 Committee and I don't have anything in front of me</p> <p>22 that says I lied to them, and I asked if they'd be</p> <p>23 willing to provide me with the notes from the</p> <p>24 professionalism hearing so I could more adequately</p> <p>25 address that question.</p>
<p style="text-align: right;">Page 395</p> <p>1 Q. Okay. Let's turn to the Promotions Committee meeting</p> <p>2 that was on February 27, 2019.</p> <p>3 A. Is that in this binder somewhere?</p> <p>4 Q. No. I'm asking if you recall the date of the meeting.</p> <p>5 A. No, I don't recall.</p> <p>6 Q. You have no reason to disagree that it was</p> <p>7 February 27, 2019?</p> <p>8 A. The original Promotions Committee meeting?</p> <p>9 Q. Yes.</p> <p>10 A. I think it was later than that.</p> <p>11 Q. You only had one hearing in front of the Promotions</p> <p>12 Committee, correct?</p> <p>13 A. Yes, I had one hearing and an appeal which was not in</p> <p>14 person.</p> <p>15 Q. So the records reflect that the committee meeting was</p> <p>16 on February 27. I'll show you Exhibit 5.</p> <p>17 Do you see the date at the top?</p> <p>18 A. Yes, that looks to be correct.</p> <p>19 Q. Does that refresh your memory?</p> <p>20 A. That doesn't refresh my memory, but it looks to be the</p> <p>21 date of the hearing.</p> <p>22 Q. So let's talk for a moment about your recall of the</p> <p>23 Promotions Committee hearing. Do you know who was in</p> <p>24 attendance?</p> <p>25 A. All I remember specifically was Dr. Baker being there</p>	<p style="text-align: right;">Page 397</p> <p>1 Q. Who asked that question?</p> <p>2 A. I believe it was one of the student members.</p> <p>3 Q. Was that Brian Sullivan?</p> <p>4 A. I have no clue.</p> <p>5 Q. Okay. A person you'd never met before?</p> <p>6 A. Yes.</p> <p>7 Q. And so you didn't know anything about the person?</p> <p>8 A. No.</p> <p>9 Q. Alright. Did they --</p> <p>10 A. I may have met them before in my capacity as President</p> <p>11 of my class, but I did not know the person. They were</p> <p>12 not an acquaintance or someone that I had known.</p> <p>13 Q. Do you have any other recall of what happened in the</p> <p>14 Promotions Committee hearing on February 27?</p> <p>15 A. It was a very short meeting. It started late. There</p> <p>16 was a lot of snow that day and I had arrived on time,</p> <p>17 but some of the members had arrived late. We didn't</p> <p>18 get started until much later.</p> <p>19 I remember feeling like they had already</p> <p>20 made their decision before I had entered the room.</p> <p>21 Q. What made you feel that way?</p> <p>22 A. The general vibe of when I got in there, you know,</p> <p>23 people's body language, the expressions on people's</p> <p>24 faces, which I didn't understand at the time, but now</p> <p>25 after reading these professionalism hearing minutes</p>

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<p style="text-align: right;">Page 442</p> <p>1 drive, that she was more than three years later</p> <p>2 hacking your bank accounts?</p> <p>3 A. She had more information than just at this point. She</p> <p>4 had my approximate address. She had the information</p> <p>5 that was located on my iCloud which included other</p> <p>6 personal information such as my driver's license</p> <p>7 number, my Social Security card, all of which could be</p> <p>8 used to access my Flagstar account.</p> <p>9 Q. But you have no basis for contending, any basis in</p> <p>10 fact that she, in fact, looked at your Social Security</p> <p>11 Number, looked at your driver's license, looked at any</p> <p>12 of that stuff or ever used it?</p> <p>13 A. That's a suspicion and that's what the police are for.</p> <p>14 Q. And a suspicion over three years after that one</p> <p>15 contact you had with her and you go to the police?</p> <p>16 A. Yeah. I should have gone to the police from the</p> <p>17 beginning. I regret that I didn't until late in the</p> <p>18 process but I only did this on this day because of the</p> <p>19 new charge that was there on 2-9-19.</p> <p>20 Q. Let's look at quickly your apology letter, Exhibit 18.</p> <p>21 You wrote this at the time of the appeal to the</p> <p>22 Promotions Committee?</p> <p>23 A. Yes, I was recommended to do this by Ms. Robichaud.</p> <p>24 Q. It's your words, though, correct; she didn't choose</p> <p>25 your words for you?</p>	<p style="text-align: right;">Page 444</p> <p>1 MS. HARDY: I'd like to go on a</p> <p>2 confidential record regarding some issues related to</p> <p>3 the medical history.</p> <p>4 MR. ROSSMAN: Yeah, that's fine.</p> <p>5 (Confidential record made at 4:10 p.m.)</p> <p>6 (End of Confidential record at 4:27 p.m.)</p> <p>7 EXAMINATION</p> <p>8 BY MR. ROSSMAN:</p> <p>9 Q. This Exhibit Number 34, where is Tolan Park?</p> <p>10 A. That's right next to the School of Medicine. It's</p> <p>11 part of the Wayne Physician Group.</p> <p>12 Q. The Wayne State University School of Medicine?</p> <p>13 A. Yes.</p> <p>14 Q. How did you know to go there?</p> <p>15 A. Ms. Robichaud had told me to go there and set up the</p> <p>16 appointment first with Dr. Milan who is their head</p> <p>17 guy, and then after I saw him, he thought it would be</p> <p>18 better if I see Amanda who is who I was seeing.</p> <p>19 Q. Who did you say set up the appointment?</p> <p>20 A. Ms. Robichaud.</p> <p>21 Q. That's your counselor?</p> <p>22 A. Yes.</p> <p>23 Q. The one who you testified was an advocate?</p> <p>24 A. Well, that's what I presumed her role to be.</p> <p>25 Q. And you presumed she was advocating for you when she</p>
<p style="text-align: right;">Page 443</p> <p>1 A. She didn't choose my words, but she advised me to take</p> <p>2 this course of action.</p> <p>3 Q. To apologize for your actions?</p> <p>4 A. To apologize, yes.</p> <p>5 Q. She didn't tell you what to say, did she?</p> <p>6 A. She didn't tell me specifically what to say, but she</p> <p>7 said make sure it's a sincere apology, make sure that</p> <p>8 you address all the things that the committee might be</p> <p>9 suspecting you of doing.</p> <p>10 Q. Alright. So was it indeed sincere, or was it only</p> <p>11 attempting to sound sincere?</p> <p>12 A. If I was not recommended by Ms. Robichaud to write</p> <p>13 this letter, I don't think I would have written it.</p> <p>14 Knowing what I do now, if Burton really did feel that</p> <p>15 way, well, then I would apologize because I didn't</p> <p>16 mean to make her feel that way. At this time I didn't</p> <p>17 know that, and I wouldn't have written this letter</p> <p>18 before being recommended to.</p> <p>19 Q. Did anyone assist you with your appeal to the Provost</p> <p>20 in writing it?</p> <p>21 A. No.</p> <p>22 MS. HARDY: I need to take a break for a</p> <p>23 few minutes, and then I will not be too much longer.</p> <p>24 (Recess taken at 3:57 p.m.)</p> <p>25 (Back on the record at 4:10 p.m.)</p>	<p style="text-align: right;">Page 445</p> <p>1 sent you to these psychiatrists?</p> <p>2 A. That's what I presumed.</p> <p>3 Q. Thank you. Were you at the Tolan Park Outpatient for</p> <p>4 any other reason other than the situation at Wayne</p> <p>5 State and Ms. Robichaud's recommendation?</p> <p>6 A. No.</p> <p>7 Q. Did you feel that you could be candid with these</p> <p>8 people and it wouldn't be used against you in the</p> <p>9 process?</p> <p>10 A. Well, I expected, you know, normal doctor/patient</p> <p>11 confidentiality, so yes.</p> <p>12 Q. That was on April 1, 2019, correct?</p> <p>13 A. I was there from I believe about February of 2019</p> <p>14 until my insurance ran out, which was later in the</p> <p>15 year.</p> <p>16 Q. And so were you being treated in May of 2019?</p> <p>17 A. Yes.</p> <p>18 Q. And May of 2019 is when you sent Exhibit 28, correct,</p> <p>19 or the email to Jack Sobel according to the date</p> <p>20 there?</p> <p>21 A. Yes.</p> <p>22 Q. There was a document that was attached to that, and</p> <p>23 you indicated that it wasn't real. Can you explain</p> <p>24 that, please?</p> <p>25 A. Well, not only is it not real but it's not the</p>

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<p style="text-align: right;">Page 478</p> <p>1 Q. Okay. Before I get to what he said in response to</p> <p>2 your question, he talked about a hearing?</p> <p>3 A. Yes.</p> <p>4 Q. What did he tell you about the hearing?</p> <p>5 A. He told me that I had to appear before the committee</p> <p>6 and explain myself in regards to the complaints.</p> <p>7 Q. Okay. And the complaint which he was going to show</p> <p>8 you, correct?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. And did he tell you anything else in terms of</p> <p>11 perhaps what you were entitled to, what your rights</p> <p>12 were, anything of that nature?</p> <p>13 A. No.</p> <p>14 Q. Okay. It was simply you're going to show up at this</p> <p>15 hearing based on this complaint?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. So you said a great many things were discussed?</p> <p>18 A. Uh-huh.</p> <p>19 Q. And the first thing was procedure. What was the next</p> <p>20 subject matter that you went into?</p> <p>21 A. Well, the next matter was the Camaj report.</p> <p>22 Q. And did he give you a copy of it?</p> <p>23 A. He let me look at a copy that he had.</p> <p>24 Q. And this is why I asked earlier, so how were you</p> <p>25 situated when he gave you the report; where were you</p>	<p style="text-align: right;">Page 480</p> <p>1 A. Not exactly. I think it was some unrelated School of</p> <p>2 Medicine thing.</p> <p>3 Q. And this is the first you saw this document?</p> <p>4 A. Yes.</p> <p>5 Q. And I know we've gone through the document ad nauseam,</p> <p>6 but when you first saw that document and you started</p> <p>7 reading it and Dr. Jackson is small talking in your</p> <p>8 ear, what was going through your mind?</p> <p>9 A. You know, the main thing going through my mind was,</p> <p>10 okay, how do I defend myself and how do I put this</p> <p>11 behind me so it won't affect my school.</p> <p>12 Q. So you started thinking that then. Did you arrive at</p> <p>13 a conclusion on the spot?</p> <p>14 A. Well, I asked him, I asked him what -- I asked him a</p> <p>15 few things. I asked him if he thought I needed a</p> <p>16 lawyer or not, and he was very specific that I did not</p> <p>17 need a lawyer.</p> <p>18 Q. Talk to me about that. Do you remember the exact</p> <p>19 words you used when you asked him that question?</p> <p>20 A. I said: Dr. Jackson, I feel like I'm going to need a</p> <p>21 lawyer for this.</p> <p>22 Q. Was this before or after you were done looking at the</p> <p>23 document?</p> <p>24 A. This was after.</p> <p>25 Q. So you took the time to read the whole document as</p>
<p style="text-align: right;">Page 479</p> <p>1 sitting?</p> <p>2 A. I was sitting across from his desk at a little like</p> <p>3 table thing off to the side.</p> <p>4 Q. You mean a little table disconnected from his desk?</p> <p>5 A. Yes, disconnected from his desk.</p> <p>6 Q. So he handed you the report?</p> <p>7 A. He put it on his desk, and I came up and grabbed it.</p> <p>8 Q. And you sat down and read it?</p> <p>9 A. Yeah, I sat down and read, you know, I skimmed over</p> <p>10 what was in it.</p> <p>11 Q. Were you given privacy to review this document?</p> <p>12 A. No.</p> <p>13 Q. Who else was in the room?</p> <p>14 A. No one, just myself and Dr. Jackson.</p> <p>15 Q. And he watched you reading it?</p> <p>16 A. Yes.</p> <p>17 Q. What was he doing while you were reading it?</p> <p>18 A. He was just looking at me.</p> <p>19 Q. Was he writing any notes or talking?</p> <p>20 A. Yeah, we, you know, we had small talk back and forth</p> <p>21 as I was reading it.</p> <p>22 Q. Who was initiating the small talk?</p> <p>23 A. Dr. Jackson.</p> <p>24 Q. Do you remember what he was small talking to you</p> <p>25 about?</p>	<p style="text-align: right;">Page 481</p> <p>1 much as you could concentrate on the spot, and the</p> <p>2 first question you asked him was whether you should</p> <p>3 get a lawyer?</p> <p>4 A. Yes.</p> <p>5 Q. And why did you ask that?</p> <p>6 A. Well, because I thought that having a lawyer might be</p> <p>7 better for defending myself against false claims.</p> <p>8 Q. I'm presuming he encouraged that?</p> <p>9 A. No. He specifically told me not to get a lawyer and</p> <p>10 said even if I did get a lawyer, they would not be</p> <p>11 permitted to speak.</p> <p>12 MS. HARDY: Counsel, I have a question.</p> <p>13 I've never encountered an exam like this. It's the</p> <p>14 first in 40 years.</p> <p>15 MR. ROSSMAN: Like what? Are my questions</p> <p>16 bad? Is there a problem?</p> <p>17 MS. HARDY: I don't know what the purpose</p> <p>18 is of this other than trying to use our dime to create</p> <p>19 a record so you don't have to write a Declaration.</p> <p>20 MR. ROSSMAN: We must be working off a</p> <p>21 different set of Court Rules because the last time I</p> <p>22 checked, the parties are free to have their lawyers</p> <p>23 examine them, and it probably should say it in the Dep</p> <p>24 Notice, too.</p> <p>25 MS. HARDY: What kind of exam is this; what</p>